

Remarks:

Restriction to one of the following inventions was required under 35 U.S.C. 121:

- I. Claims 1-14, drawn to a method related to disease, classified in class 435, subclass 25.
- II. Claims 15-19, drawn to a method of identifying inhibitors, classified in class 435, subclass 69.2
- III. Claim 20, drawn to a composition.
- IV. Claims 21-26, drawn to a method of treatment.
- V. Claims 27-35, drawn to a method of determining oxidase activity, classified in class 435, subclass 25.
- VI. Claim 36, drawn to a composition.

Applicant elects Group V (claims 27-35), without traverse.

New claims 37-40 have been added. Support for measurement of conversion of a substrate to a product by fructosamine oxidase that is conducted on a sample from a human, as in claim 37, is found in the specification at, e.g., page 1, lines 9-11; page 3, line 27 to page 4, line 5; and page 6, lines 14-16. Support for a sample that is blood, plasma, or serum, as in claim 38, is found in the specification at, e.g., page 4, lines 6-7 and line 19; page 5, lines 9-10; and page 6, lines 20-23. Support for the human to be known to be, or suspected of, suffering from diabetes mellitus, as in claim 39, is found in the specification at, e.g., page 1, lines 9-11; page 4, line 5 and lines 12-8; and page 6, lines 17-19. Support for comparing the measured level of fructosamine oxidase activity in the sample with a level of fructosamine oxidase activity characteristic of non-diabetic humans, as in claim 40, is found in the specification at, e.g., page 5, lines 11-15.

Applicant requests examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 441842000401. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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By: 

Eric Witt
Registration No. 44,408

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5755
Facsimile: (650) 494-0792